

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
EUREKA DIVISION

RAUL CERVANTES,  
Plaintiff,

v.

BURCIAGA,  
Defendant.

Case No. 19-cv-06318-RMI

**ORDER OF TRANSFER**

Re: Dkt. No. 17

This is a civil rights case brought *pro se* by a state prisoner. Plaintiff has presented many filings with many allegations that are difficult to understand. It appears he seeks relief regarding an incident where he was assaulted in 2015. This incident occurred at California State Prison-Sacramento which is located in the Eastern District of California.<sup>1</sup> Plaintiff is incarcerated in the Central District of California. The incident occurred and Defendants are located in the Eastern District. Venue, therefore, properly lies in that district and not in this one. *See* 28 U.S.C. § 1391(b).<sup>2</sup>

This case is **TRANSFERRED** to the United States District Court for the Eastern District of California. *See* 28 U.S.C. § 1406(a). In view of the transfer, the court will not rule upon Plaintiff's motion (dkt. 17) which is **VACATED**.

**IT IS SO ORDERED.**

Dated: January 30, 2020

  
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ROBERT M. ILLMAN  
United States Magistrate Judge

<sup>1</sup> This case may be duplicative of a prior case of Plaintiff's in the Eastern District, *Cervantes v. Williamson*, No. 15-2138 KJM DB. The Eastern District can make that determination.

<sup>2</sup> If Plaintiff wishes to proceed with a claim that occurred in the Northern District, he may file a new action in this court specifically identifying the claims and the appropriate Defendants.